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SUPERIOR COURT CLERK

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IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MOHAVE

STATE OF ARIZONA,

Plaintiff,

vs

JUSTIN JAMES RECTOR

Defendant.

NO: CR2014 -01193

DEFENSE CASE MANAGEMENT
PLAN

(ASSIGNED TO THE HON. LEE JANTZEN)

At the previous hearing on March 9th, 2015, the Court ordered that the parties, individually, were to file with the Court a case management plan:

Trial Date:

The trial date has been set by the Court in November, 2016.

At the present time, there are no calendar conflicts with either defense counsel.

Length of Trial / Number of Witnesses

The defense would anticipate a trial date of approximately 10 weeks, including capital jury selection.

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S8015CR201401193

1 The defense would expect likely more than 15 lay witnesses, plus expert witnesses from
2 both sides.

3 **Final Trial Management Conference**

4 The Court has set a final trial management conference of

5 **Brief Summary of Alleged Facts**

6 The victim was murdered and her body buried in a shallow grave

7 **Expert Witness Production Schedule**

8 The defense anticipate both sides will call expert witnesses. The defense anticipates
9 hiring expert witnesses once additional discovery, witness interviews and defense case
10 investigation progresses. The defense wants to make sure all necessary witnesses are
11 retained, and is cognizant of not wasting finite witness resources on unnecessary
12 witnesses. Defense' mitigation investigation is ongoing in its initial stages.

14 **Witness Interview Schedule**

15 The State has contacted the defense wishing to begin witness interviews. The State
16 has had this case from the date of arrest in September 2014. The defense has been on
17 the case less than 2 months and is reviewing and digesting the over 1200 pages of
18 discovery and over 32 DVD/CD discs. The defense team is still formulating its defense
19 options and is not presently prepared to interview State witnesses. Additional mitigation
20 and defense preparation is necessary to avoid re-interviews at a later date and further
21 delay.

22 **List of Motions Needing Ruling**

23 The defense has filed numerous motions with the Court beginning March 9th, 2015, and
24 has filed additional motions since then. The State, through the assigned Deputy County
25 Attorneys and Counsel for the Detention Center, have filed Responses. To date, the
26 parties await Court rulings on all the motions.
27
28

Schedule for Motions *In Limine*

The defense has already filed such motions, and anticipates filing more. Given normal trial practice it is anticipated rulings on those motions will be made next year, as trial approaches.

Special Investigative Needs

The State has indicated cooperation in regards to inspection of the area regarding the discovery of the victims body; the defense will need access to inspect crime scenes, and will arrange for evidence views when the defense is prepared to do so.

It is too early to determine the extent of motion practice needed regarding certain investigation needs at the present time.

Mitigation Investigation Progress

The Court at the last hearing indicated approval of the appointment of Rennee DeSaye to assist Mr. Rector. Ms DeSaye was specifically requested by defense counsel because of her excellent, efficient and comprehensive work. She and the defense team have met with Mr. Rector via videophone. Ms. DeSaye will be immersed in producing necessary documentation for Mr. Rector to assist with his mitigation presentation and to assist with potential plea negotiations.

Expert Witness issues (dates for defense disclosure experts and opinions)

Regarding the guilt/ innocence portion of the proceedings the State has provided a list of witnesses that purport to identify certain expert witnesses. The defense investigation is in its infancy and continues to investigate facts, and conduct its own separate investigation, and has not yet determined what experts it may call.

General Status of Plea Negotiations

Given the defense's late arrival on this case, plea negotiations have not begun in earnest. Until further investigation is done, and case strengths and weaknesses are flushed out, it is inappropriate for the defense to ask for anything other than outright

1 dismissal without doing its due diligence and conducting a thorough defense
2 investigation on Mr. Rector's behalf. I believe it is safe to say Plea Negotiations will
3 take place, as both sides have a duty to at least explore possible options for the best
4 interests of the parties, and the citizens of Mohave County.

5 **Plea Cutoff Date**

6 As there is no plea requested or offered at this date, there is no current plea cutoff date.
7

8 **Settlement Conference Date**

9 It is anticipated that in the future one or more settlement conferences will take place to
10 attempt to resolve this matter short of trial. It is premature at this time for most of the
11 reasons discussed above.
12

13 **Interpreter Needs**

14 Presently none....but could obviously change given potential witnesses being called at
15 trial. Both sides will endeavor to alert the court of any such needs so arrangements can
16 be made well in advance.

17 **Schedule of Regular Case Management Conferences**

18 The present schedule seems reasonable...with conferences every 30-45 days.

19 **Other Information**

20 The working relationship between the parties is generally good, and both sides will
21 attempt to work together to prepare the case for trial. If issues arise the parties cannot
22 resolve after consultation, they will seek court assistance.

23 RESPECTFULLY SUBMITTED THIS 15th day of May, 2015.

24
25
26 
27 **GERALD T. GAVIN**
28 Co-Counsel for Mr. Rector


RON GILLES
Co-Counsel for Mr. Rector

1 ORIGINAL of the foregoing filed
2 this 17th day of May, 2015 with:

3 Clerk of Court
4 401 E Spring Street
Kingman Arizona 86401

5 COPY of the delivered
6 this 17th day of May, 2015 to:

7 Honorable Lee Jantzen
8 Judge of the Superior Court
9 Mohave County Courthouse
401 E. Spring Street
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10 Greg McPhillips
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17 Defendant Justin James Rector
18 Mohave County Jail

19 File

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23 By: 
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